



# Department of Defense

## DIRECTIVE

"Directives Division Master "

June 3, 1986  
NUMBER 5160.63

ASD (A&L)

SUBJECT : Delegation of Authority Vested in the Secretary of Defense to Take  
Certain Real Property Actions

References: (a) DoD Directive 5160.63, subject as above, August 10, 1978  
(hereby canceled)  
(b) Multiaddressee Memorandum from the Deputy Secretary of  
Defense, "Defense-wide Application of the Model Installation  
Management Approach, " March 26, 1986  
(c) Title 10, United States Code, Section 133(d)  
(d) Title 40, United States Code, Section **319-319c**, 345c, 483,  
484, 511, and 512  
(e) Public Law 99-173, Section 105, December 10, 1985  
(f) Title 42, United States Code, Section 4651  
(g) Title 43, United States Code, Section 1714  
(h) Title 30, United States Code, Section 352

### A. REISSUANCE AND PURPOSE

This Directive reissues reference (a) to delegate additional authorities  
to the Secretaries of the Military Departments.

### B. APPLICABILITY

This Directive applies to the Office of the Secretary of Defense (OSD) and  
the Military Departments.

### C. POLICY

It is DoD policy (reference (b)) to vest authority and responsibility to  
lower organizational levels; allow installation commanders the freedom to  
obtain goods and services that best satisfy their requirements whenever they  
can get quality, responsiveness, and lowest cost; and allow installation  
commanders to retain and decide on the use of a share of money they save. In  
keeping with those policies, the Military Departments shall redelegate the  
authorities herein delegated to the lowest possible organizational level.

### D. DELEGATION OF AUTHORITY

The Secretaries of the Military Departments, pursuant to the authority  
vested in the Secretary of Defense by reference (c) , are delegated with  
authority to redelegate the authority as prescribed in:

1. Section **319-319c** (reference (d)) to grant easements, to determine the  
conditions under which easements shall be granted, to relinquish legislative  
jurisdiction, and to take other actions required in connection with grants.

2. Section 345c (reference (d)) to convey interests in real property for street-widening purposes, to determine the conditions under which such conveyances should be made to protect the interests of the United States, and to take any other actions required in **connection** with such conveyances.

3. Public Law 99-173, Section 105 (reference (e)) and any similar authority provided by future **statutes**, to determine if it is in the public interest to purchase land or land easements at a cost that exceeds 100 percent of the value, **as** determined by the U.S. Army Corps of Engineers or the Naval Facilities Engineering Command. This authority may be used in connection with 42 U.S.C. 4651 (reference (f)).

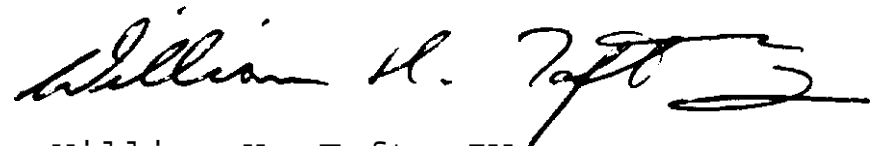
4. 43 U.S.C. 1714 (reference (g)) to request withdrawal of public lands or to grant consent to the Secretary of the Interior to make, modify, or revoke withdrawals.

5. 30 U.S.C. 352 (reference (h)) to grant consent to the Secretary of the Interior to lease mineral deposits on lands under the jurisdiction of the cognizant Military Department subject to such conditions that will ensure the adequate use of lands for the primary purposes for which they were acquired or are being administered.

6. Sections 483, 484, 511, and 512 (reference (d)) and regulations of the General Services Administration with authority to redelegate, for the purpose of administering real property actions.

E. EFFECTIVE DATE

This Directive is effective immediately.

  
William H. Taft, IV  
Deputy Secretary of Defense